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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

2008 TOYOTA TUNDRA, CALIFORNIA  
LICENSE NO. 8S22586 (VIN  
5TFDV58128X070714); RUGER .45  
CALIBER SEMI-AUTOMATIC  
HANDGUN (SERIAL NO. 664-66556);  
AND ALL .45 CALIBER AMMUNITION,

Defendant.

YESENIA RODRIGUEZ,

Claimant.

No. 11-CV-4009 CW

JOINT CASE MANAGEMENT  
STATEMENT; REQUEST TO  
TAKE THE CASE MANAGEMENT  
CONFERENCE OFF CALENDAR;  
AND PROPOSED ORDER

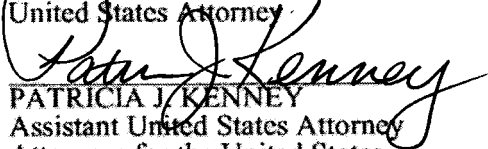
Pursuant to the parties' stipulation, the Court stayed the instant case by order entered November 22, 2012. *See* Order Staying the Instant Action, entered November 22, 2011; Stipulation to Stay the Instant Action Pending Resolution of the State Criminal Case, filed November 18, 2011. The reason for the stay was that claimant is a defendant in a related state court case. *People of the State of California v. Jose Miguel Flores-Garcia, Yesenia Pena-Rodriguez, et al.*, Court No. SCR-509334, DA No. DAR-633852, filed March 16, 2011 (Superior Court, Sonoma County). Based on subsequent reports filed with the Court, this case is still stayed because the state criminal case is ongoing.

The parties are informed by the DEA agent assisting the state deputy district attorney and defense counsel that the preliminary hearing for defendant Pena-Rodriguez in the state case is now scheduled for September 13, 2012. For the reasons previously stated, the parties agree that the stay entered by the Court is appropriate and should be continued in effect pursuant to 18 U.S.C. §981(g)(1) and (2).

IT IS SO STIPULATED:

Dated: August 20, 2012

MELINDA HAAG  
United States Attorney

  
PATRICIA J. KENNEY  
Assistant United States Attorney  
Attorneys for the United States

LAW OFFICES OF MICHAEL J. SHAMBROOK

Dated: August 20, 2012

  
MICHAEL J. SHAMBROOK  
Attorney for Claimant Yesenia Rodriguez

IT IS SO ORDERED ON THIS 24th DAY OF AUGUST, 2012, THAT THE CASE MANAGEMENT CONFERENCE SCHEDULED FOR AUGUST 29, 2012, BE, AND HEREBY IS, TAKEN OFF CALENDAR. A FURTHER CASE MANAGEMENT CONFERENCE IS SCHEDULED FOR OCTOBER 24, 2012.

  
HONORABLE CLAUDIA WILKEN  
United States District Judge